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18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 REARDEN LLC, REARDEN MOVA LLC,

21 Plaintiffs,

22 vs.

23 WALT DISNEY PICTURES, a California
24 corporation, MARVEL STUDIOS, LLC, a
25 Delaware limited liability company, MVL
26 PRODUCTIONS LLC, a Delaware limited
liability company, INFINITY PRODUCTIONS
27 LLC, a Delaware limited liability company,
ASSEMBLED PRODUCTIONS II LLC, a
Delaware limited liability company,

Defendants.

Case Nos. 4:17-cv-04006-JST
4:17-cv-04191-JST

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL WITH
PREJUDICE OF NON-BATB CLAIMS**

REARDEN LLC and REARDEN MOVA LLC,

Plaintiffs,

vs.

TWENTIETH CENTURY FOX FILM
CORPORATION and TWENTIETH CENTURY
FOX HOME ENTERTAINMENT LLC,

Defendants.

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1 Plaintiffs and Defendants in the above-captioned cases (collectively, “Parties”), by and
 2 through their counsel, hereby stipulate as follows:

3 WHEREAS, Plaintiffs filed suit against Walt Disney Pictures, Marvel Studios, LLC,
 4 Infinity Productions LLC, Assembled Productions II LLC (the “WDP Defendants”) in the United
 5 States District Court for the Northern District of California in the case captioned *Rearden LLC et*
 6 *al. v. Walt Disney Pictures et al.*, N.D. Cal. Case. No. 4:17-cv-04006-JST (the “WDP Lawsuit”);

7 WHEREAS, the WDP Lawsuit includes claims related to the motion pictures *Beauty and*
 8 *the Beast* (2017), *Guardians of the Galaxy*, and *Avengers: Age of Ultron*;

9 WHEREAS, the parties tried the claims related to *Beauty and the Beast* (2017) to a jury
 10 in December 2023 and are currently engaged in post-trial motion practice;

11 WHEREAS, Plaintiffs filed suit against Twentieth Century Fox Film Corporation and
 12 Twentieth Century Fox Home Entertainment LLC (the “Fox Defendants”) in the United States
 13 District Court for the Northern District of California in the case captioned *Rearden LLC et al. v.*
 14 *Walt Disney Pictures et al.*, N.D. Cal. Case. No. 4:17-cv-04191-JST (the “Fox Lawsuit”);

15 WHEREAS, the Fox Lawsuit includes claims related to the motion pictures *Deadpool*,
 16 *Fantastic Four*, and *Night at the Museum: Secret of the Tomb*;

17 WHEREAS, the Parties have reached a settlement of all claims and controversies
 18 concerning all motion pictures other than *Beauty and the Beast* (2017) that are the subject of the
 19 WDP Lawsuit and the Fox Lawsuit (the “Non-BATB Claims”);

20 WHEREAS, the Parties agree the Non-BATB Claims should be dismissed with prejudice;

21 WHEREAS, the Parties agree the Court shall retain jurisdiction over Plaintiffs’ copyright
 22 claim (and Defendants’ defenses to the same) regarding *Beauty and the Beast* (2017);

23 THEREFORE, the Parties stipulate and agree as follows:

24 [1] Plaintiffs’ Non-BATB Claims are dismissed with prejudice;

25 [2] this Court shall not dismiss and shall retain jurisdiction over Plaintiffs’ copyright

1 claim (and Defendants' defenses to the same) regarding *Beauty and the Beast* (2017);
2

3 [3] each Party shall bear its own costs and attorney's fees incurred in connection with
4 these actions; and

5 [4] following entry of the Order on this Stipulation, the Clerk of the Court is respectfully
6 requested to close Case No. 4:17-cv-04191-JST.

7 IT IS SO STIPULATED.

8 DATED: May 30, 2024

MUNGER, TOLLES & OLSON LLP

9 By: /s/ Kelly M. Klaus
10 KELLY M. KLAUS
11 *Attorneys for Defendants*

12 DATED: May 30, 2024

HAGENS BERMAN SOBOL SHAPIRO LLP

13 By: /s/ Jerrod C. Patterson
14 JERROD C. PATTERSON¹
15 *Attorneys for Plaintiffs*

[PROPOSED] ORDER

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 _____, 2024

18 _____
19 The Honorable Jon S. Tigar
20 United States District Judge

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25 ¹ Signed electronically by Kelly M. Klaus with the concurrence of Jerrod C. Patterson, pursuant
26 to L.R. 5-1(i)(3).